



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

GEORGE J. PROAKIS
EXECUTIVE DIRECTOR

September 29, 2021

Robert Dickey
15 McGrath Hwy Owner, LLC
10 Post Office Square, Suite 1300
Boston, MA 02109

Dear Mr. Dickey,

This letter is the Final Decision of the Director of Mobility for the Mobility Management Plan ('MMP') submitted by 15 McGrath Hwy Owner, LLC, a joint venture of Leggat McCall Properties, DLJ Real Estate Capital Partners, and Laben Realty (the 'Applicant') for 15 McGrath Highway as required by §11.4 Mobility Management of the Somerville Zoning Ordinance (SZO). The decision is an **Approval with Conditions**. This letter details the conditions necessary for the successful implementation of your plan.

Background & Applicability

The Applicant proposes to construct one building containing up to approximately 262,000 square feet of leasable floor area (including common lab-related equipment rooms that are included in leases. The building is proposed to include 242,000 square feet gross floor area of distinct office space planned to be used as office, research and development, lab enabled uses (office/R&D/lab) and Arts & Creative Enterprise use. The building is planned to include up to 2,300 square feet of arts/creative/retail space on the ground floor. The project proposes to construct up to 268 below ground vehicle parking spaces, 53 long-term bicycle parking spaces, and 14 short-term bicycle parking spaces.

The proposed building will meet the fifty thousand (50,000) square feet commercial space threshold to trigger MMP requirements of the property owner. Due to the size of the building, one or more future tenants may trigger the requirements of individual employers with more than 50 employees. **The property owner shall require qualifying future tenants to provide required mobility management programs and services through lease agreements.** Due to the size of the ground floor space, the future tenant of this space is unlikely to meet the fifty (50) employee threshold to trigger individual MMP requirements (unless the ground floor space is leased in conjunction with other space in the building) – making the property owner primarily responsible for implementation of the required mobility management programs and services. **Annual reporting will be necessary to verify the cumulative**



employee count each year and implementation of programs & services required of the property owner and/or retail/restaurant tenants should this threshold be exceeded.

Plan Commitments

Programs and Services Required by SZO

The following section details the baseline Mobility Management programs and services that are required by the Somerville Zoning Ordinance ('SZO') for all applicants submitting a Mobility Management Plan.

In relation to the mode share commitment requirement for all mobility management plans **the Applicant must make the following mode share commitment:**

- To control the percentage of trips made by automobile at fifty percent (50%) or less and to implement additional mobility management programs and services if annual monitoring and reporting identifies a shortfall in meeting this goal.

In relation to the programs and services required for commercial property owners of buildings with fifty thousand (50,000) square feet or more of commercial space and for multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees, **the Applicant must make the following commitments to provide for their tenants:**

- To provide an on-site transportation coordinator and to identify the workspace location or office and contact information for the on-site transportation coordinator prior to occupancy of the building.
- To post and distribute mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.
- To host an annual mobility management education meeting for tenants and their employees.
- To un-bundle the rental or lease of parking spaces from the rental or lease of floor space.
- To provide preferential carpool and vanpool parking, with spaces located nearest to building entrances within the parking garage as a convenience to commuters and to promote ridesharing.

In relation to the programs and services required for commercial property owners of buildings with fifty thousand (50,000) square feet or more of commercial space and for multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees, **the Applicant has committed to require their tenants, in all commercial lease agreements for all future tenants of any size, to:**

- To provide their employees with Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code.
- To provide their employees with a guaranteed ride home service.

In relation to the programs and services required for commercial uses with 50 or more employees, **the Applicant must commit to require, in all commercial lease agreements for all future tenants with 50 or more employees:**

- To submit their own Mobility Management Plan and provide for their employees all programs and services required by the Somerville Zoning Ordinance of employers with 50 or more employees.

- To provide their own on-site transportation coordinator and to identify the workspace location or office and contact information for the on-site transportation coordinator prior to occupancy of the building.
- To both post and distribute mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.
- To provide their employees with Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code.
- To become a participating MassRIDES employer partner worksite this registered for MassRIDES Emergency Ride Home (ERH) program or provide a similar guaranteed ride home service.
- To host an annual mobility management education meeting for their employees.

In relation to the programs and services required for property owners of commercial parking facilities the **Applicant must commit to the following programs and services for the operation of their commercial parking facility:**

- To offer preferential carpool and vanpool parking within the parking garage and spaces near office building entrances within the parking garage as a convenience to commuters and to promote ridesharing.
- To post mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.

Additional Commitments

In addition to the above, the Applicant has committed to the following additional programs & services:

- To be provided by the Property Owner:
 - Installation of a TransitScreen in the building lobby.
 - Provision of employee changing rooms and showers for employees commuting via active transportation modes.
 - Provision of a bicycle repair station.
 - Installation of a Bluebikes bikeshare station; and
 - Installation of a bus shelter on the Project Site with the approval of MassDOT (if a bus shelter is not constructed by MassDOT adjacent to the site).
- To be provided by all tenants with 50 employees or more:
 - Provide sponsored vanpools and assist in employee ride matching.
 - Provide telecommuting and flexible work hour options for employees based on the tenant's business model, operational requirements and nature of the work performed.

Mobility Division Comments & Approval Conditions

The Mobility Division notes that the submitted Mobility Management Plan proposes to operate the parking garage as Accessory Parking, meaning that these parking resources will be exclusive to building tenants and their employees, and to price parking spaces at local market rates. **Accessory parking, including on-site and off-site, is not allowed in the HR zoning district. The City is committed to ensuring that new parking creation is a shared resource available to the public, inclusive of tenant employees.**

Additionally, a key component of the projected vehicle trips and subsequent traffic analysis hinges on the mode share and automobile mode share can be heavily influenced by available parking. While the Applicant has committed to SomerVision's 50% vehicle mode share target, controlling, and managing parking supply throughout the City remains a critical element in reaching upcoming SomerVision mode share goals to control the percentage of trips made by vehicles at 37.5% or less by 2030 and at 25% or less by 2040. The Mobility Division notes that, in the case that these mode share goals are not met, there are additional TDM measures outlined below (Additional Recommendations section) that can be implemented to help the Applicant reach the required mode share.

- **CONDITION #1:** *The Applicant (or their designated parking facility operator) will operate the parking garage as a Commercial Parking Facility use and will offer, at minimum, hourly, daily (weekday and weekend), overnight, and monthly parking rental options at local market rates to general public, inclusive of tenant employees, 24 hours per day, 7 days per week, and 365 days per year. Tenant employees must pay market rate directly for parking and must be made aware of different parking pass options at the point of sale and through the distribution of mobility management information. Tenants may not lease parking spaces or passes on behalf of their employees, but tenant leases may include the allocation of a set number of unreserved monthly parking passes which may be purchased by tenant employees directly from the Applicant (or their designated parking facility operator) on a first come first serve basis. The property owner must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement.*
- **CONDITION #2:** *The Applicant (or their designated parking facility operator) must manage the Commercial Parking Facility so that the required parking pass options remain generally available to the public, inclusive of tenant employees. Any reserved parking spaces are subject to a 200% market rate price premium as well as the overall space limits set forth in Condition #4. Applicant will submit details on all parking rates offered in the commercial parking facility as well as detailed historical parking occupancy and passholder sales data with annual reporting so that the utilization of the garage may be evaluated. Applicant may adopt operational measures to meet existing passholder obligations but shall always seek to maximize utilization of parking spaces and shall ensure that an allocation of spaces remains available for daily and hourly parking. This condition shall also apply to all parking spaces reserved for use by neighboring property owners, tenants, or users.*
- **CONDITION #3:** *In any lease agreement with all future tenants of any number of employees, the Applicant shall require the tenant to unbundle, and charge the market rate for, any employee parking spaces by charging their employees the full market rate of such spaces. Standard lease agreement language for unbundled and market rate parking must be approved by the Director prior to the issuance of any Certificate of Occupancy for tenant space. To verify ongoing conformance, the property owner must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement.*
- **CONDITION #4:** *The number of reserved parking spaces in the Project is restricted to no more than 5% rounded to the nearest whole number (13 spaces if total Project parking count is 268 spaces). Any parking spaces reserved for use by neighboring property owners, tenants or users shall count toward the 13-space maximum.*

As noted in the Mobility Management Plan, MassDOT is undertaking a resurfacing project of McGrath Highway in the vicinity of the project. In addition to the noted bus stop improvements and new buffered bike lanes, the section of McGrath Highway west of the project site is planned to undergo a road diet and be reduced from 3 vehicle lanes in each direction to 2 vehicle lanes in each direction. Therefore, the existing roadway infrastructure is not intended to accommodate significant increases in vehicle demand and every effort to minimize auto trips and to spread trip demand should be considered. The Mobility Division is committed to working with the Applicant to build and operate a building that promotes and encourages decarbonizing our transportation system and compliments the future right-sized McGrath Boulevard.

National and local research has demonstrated that excessive motor vehicle parking in new development reduces mass transit ridership and undermines public investment in mass transit infrastructure. Strong Transportation Demand Management (TDM) measures, transit amenities and connections, and additional supportive infrastructure to encourage the use of non-vehicle transportation modes are integral components of Mobility Management planning for this site.

- **CONDITION #5:** *Posted and distributed mobility management information must be reviewed and approved by the Director of Mobility prior to the issuance of any Certificate of Occupancy for the building.*
- **CONDITION #6:** *Provision of on-site real time transit information is required, consisting of connected TransitScreen displays (or equivalent service), in (1) the building lobby and (2) at the new bus stop on McGrath Highway. Details on the locations of all real time transit information screens will be submitted to the Director for approval prior to the issuance of a building permit for the site.*
- **CONDITION #7:** *At least 5% of vehicle parking spaces (13 spaces) must be signed, designated, and reserved for carpools and/or vanpools and be located in preferential locations close to building entrances. Additional spaces will be provided if demand warrants.*
- **CONDITION #8:** *At least 3 parking spaces must be signed, designated, reserved, and made available for car share vehicles at no cost to a care share service provider. Spaces may be brought online at the discretion of the car share service provider. Notification of available spaces to car share service providers must be documented prior to the issuance of any Certificate of Occupancy for tenant space and in annual reporting.*
- **CONDITION #9:** *In addition to the initial mode share commitment of 50% or less trips made by automobile, the Applicant will make reasonable efforts to control the percentage of trips made by vehicles at 37.5% or less by 2030 and at 25% or less by 2040 in order to meet the city's SomerVision 2040 goals. The Applicant will implement additional mobility management programs and services if annual monitoring and reporting identifies a shortfall in meeting this goal.*
- **CONDITION #10:** *The Applicant will fund the purchase of, and identify an on-site location for, a city owned 19-dock Bluebikes bike share station to be located on the Applicant's property or a city approved location in the public ROW on the sidewalk. Location must be identified on building plans prior to the issuance of building permits. Station must be installed prior to issuance of any Certificate of Occupancy for tenant space.*

- **CONDITION #11:** *In any lease agreement with all future tenants of any number of employees, the Applicant shall require tenant(s) to enroll in the BlueBikes Bike Share Corporate Partner Program and subsidize annual BlueBikes memberships for employees at the Gold subsidy level or higher (100% subsidy), subject to rate increases. Standard lease agreement language for subsidized BlueBikes annual passes must be approved by the Director prior to their execution in lease agreements. To verify ongoing conformance, the property owner or property manager must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement. Applicant or any future property owner or property manager may also choose to provide these subsidies themselves directly to site employees. Applicant or any future property owner may choose to provide these subsidies themselves directly to site employees and must provide these subsidies directly for employees of any tenant that does not comply with this condition.*
- **CONDITION #12:** *In any lease agreement with all future tenants of any number of employees, the Applicant shall require tenant(s) to subsidize employee MBTA transit passes by at least 90% of the pass cost, up to the federal maximum Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code (\$270 per month in 2021), subject to annual increases. Standard lease agreement language for subsidized MBTA transit passes must be approved by the Director prior to their execution in lease agreements. To verify ongoing conformance, the property owner or property manager must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement. Applicant or any future property owner or property manager may also choose to provide these subsidies themselves directly to site employees. Applicant or any future property owner may choose to provide these subsidies themselves directly to site employees and must provide these subsidies directly for employees of any tenant that does not comply with this condition.*
- **CONDITION #13:** *At least 15% of the garage vehicle parking spaces, rounded to the nearest whole number (41 spaces) must be equipped with Level 2 Chargers when the garage opens for occupancy. At least an additional 35% of the garage vehicle parking spaces, rounded to the nearest whole number (an additional 94 spaces) must be EV Ready spaces. EV Ready spaces must be equipped with Level 2 chargers as demand warrants. Documentation of EV readiness must be submitted to the Mobility Division prior to the issuance of any building permit for the site, including provisions for raceway to each parking space, adequate space in the electrical panel, and space for additional transformer capacity to accommodate the future installations.*
- **CONDITION #14:** *At least one (1) bicycle repair facility must be provided for tenant employees in a convenient location such as the bike storage room. Locker rooms with shower facilities must be provided for tenant employees and can be provided in a single space for all building users, in spaces for each tenant, or in multiple spaces shared amongst tenants. Locker room and shower capacity must meet expected employee demand and must be expanded as necessary to meet actual employee demand.*

Additional Recommendations

If the TDM conditions described in this letter fail to achieve the stated mode-split goals, implementing these programs will help to achieve that goal:

- Reduce the number of available parking spaces to support the mode-split commitment.
- Install more long term and short-term bicycle parking spaces.
- Offer regular peak-hour employee shuttle service to the Assembly Square and Sullivan Square MBTA stations.
- Increase the price of parking spaces.
- Offer more parking spaces for car share vehicles.
- Provide on-site amenities to reduce day-time trips by automobile.
- Become an active member of any potential future TMA.

Monitoring and Reporting

The property owner has committed to Annual Reporting to track, assess, and report on the implementation of the Mobility Management, including:

- An annual statistically valid travel survey of employees.
- Annual reporting of parking utilization and operations for the parking facility
- Biennial (every other year) counts of automobile trips entering & exiting the parking facilities.
- Status update of Mobility Management program & service implementation.

All monitoring must be conducted at the same time each year, as determined by the Certificate of Occupancy. If the Certificate of Occupancy is issued between September 1 and February 29, the monitoring shall take place during the months of September or October and be reported to the Mobility Division no later than November 30. If the Certificate of Occupancy is issued between March 1 and August 31, monitoring shall take place during the months of April or May and be reported to the Mobility Division no later than June 30. This will ensure that the monitoring captures a realistic assessment of the performance of the project, while giving time to compile the results and report them to the City.

It is important to note that while approved Mobility Management Plans are transferable by and among private parties, this transfer is contingent upon the new owner agreeing to continue to operate in accordance with the previously approved Mobility Management plan, as conditioned. Should the property owner elect to transfer some portion or all of the development subject to this Mobility Management Plan, commitment to the previously approved Mobility Management Plan is required by the new property owner.

I look forward to working with you in the future as you implement this plan. If you have any questions, please feel free to contact me at (617) 625-6600 or brawson@somervillema.gov.

Sincerely,



Brad Rawson
Director of Mobility
Mayor's Office of Strategic Planning & Community Development
City of Somerville, Massachusetts

I certify that I have read and agree to implement the Mobility Management Plan in the form approved by the Director of Mobility. I understand that failure to implement the approved plan may result in enforcement actions taken by the City of Somerville.

Agreed and accepted,

Robert Dickey
15 McGrath Hwy Owner, LLC